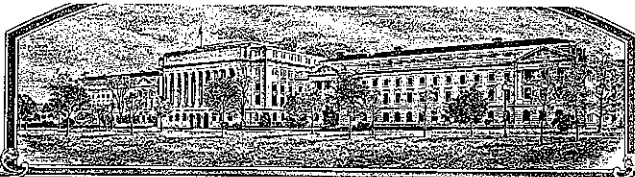


No.

200400072



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

West Bred, LLC

Whereas THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

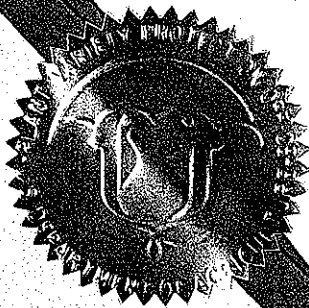
AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR PLANT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (34 U.S.C. 4321-4341, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Pryor'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirteenth day of April, in the year two thousand and four.

Attest:



Commissioner

*Plant Variety Protection Office
Agricultural Marketing Service*

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

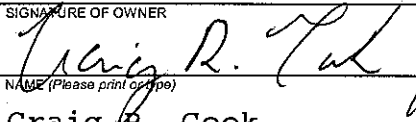
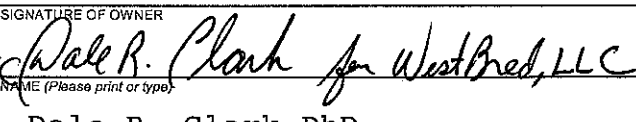
Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER WestBred, LLC		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BZ9W96-919		3. VARIETY NAME Pryor	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 8111 Timberline Drive Bozeman, MT. 59718		5. TELEPHONE (include area code) (406) 587-1218		FOR OFFICIAL USE ONLY PVPO NUMBER 2004 00 072 FILING DATE 1-26-2004	
		6. FAX (include area code) (406) 586-8247			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company		8. IF INCORPORATED, GIVE STATE OF INCORPORATION AZ		9. DATE OF INCORPORATION August 4, 2003	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Craig R. Cook Dale R. Clark WestBred, LLC 8111 Timberline Drive Bozeman, MT. 59718				F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 3652.00 DATE 1/26/2004 CERTIFICATION FEE: \$ 432.00 DATE 3/22/2004	
11. TELEPHONE (include area code) (406) 587-1218		12. FAX (include area code) (406) 586-8247		13. E-MAIL ccook@westbred.com	
14. CROP KIND (Common Name) wheat		16. FAMILY NAME (Botanical) Poaceae (alt. Gramineae)		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Triticum aestivum		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23) 21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	

25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER  NAME (Please print or type) Craig R. Cook		SIGNATURE OF OWNER  NAME (Please print or type) Dale R. Clark PhD.	
CAPACITY OR TITLE Wheat Breeder	DATE 1-22-04	CAPACITY OR TITLE Barley/Wheat Breeder	DATE Jan 22, 2004

(See reverse for instructions and information collection burden statement)

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to **reproduce** the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
(1) identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

September 2003 USA

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Hard Red Winter Wheat**19.a. Exhibit A. Origin and Breeding History**

Pryor (Exp. # BZ9W96-919) is a hard red winter wheat originating from the cross 'Hatton x Abilene' made at Bozeman, MT in 1990. The F1 was grown in Phoenix, Arizona and harvested in May of 1991. Bulk F2 and F3 populations were grown in the winters of 1992 and 1993 respectively. Single F4 heads were selected in 1995 and planted as single rows in the fall of 1995. (No 1994 plots were planted in Bozeman.)

Agronomically desirable rows were harvested and the F5 seed were again planted in 10' rows in fall 1996. Based on quality evaluation, (% protein, SDS sedimentation) one harvested F6 row was designated BZ9W96-919. This line has been yield tested from 1997 through 2003 (F6 thru F12) and evaluated for test weight, plant height, lodging resistance, winter hardiness and bread making quality characters (Table 1). Pryor has also been tested for end use quality (Table 2).

Heads were selected in fall 1998 from the F7 generation and grown as head rows in 98-99. Selected rows were harvested summer 1999 based on uniformity. These rows were grown in 5' x 20' plots and bulked based on uniformity to produce breeders seed in 2001. The breeders seed was planted on approximately .8 acres to produce Foundation seed. Foundation seed was planted fall 01 for the production of Registered seed. Registered seed was planted in the fall of 2002. Certified seed was first available to growers in the fall of 2003.

A variant that is similar to Pryor, but is 4 to 6 inches taller may occur at a frequency of up to .08%(8 per 10,000 plants). Also a white seed may occur at a frequency of up to .1%(10 per 10,000 seeds). Otherwise Pryor is a stable and uniform variety in agronomic appearance and performance across several generations and growing conditions.

"Pryor"**Hard Red Winter Wheat****19.b Exhibit B. Statement of Distinctiveness**

Pryor is most similar to the variety Neeley. However, the glume shoulder shape of Neeley is elevated where Pryor is rounded. Seed brush hair length of Pryor is medium and Neeleys' is long. The above comparisons along with the complete objective description exhibit C shows Pryor to be a novel variety of hard red winter wheat.

Table 1. Agronomic characteristics of Pryor compared to check varieties in Montana State University trials from 1999-2003. (28 station years)

<u>Entry</u>	<u>Heading Date from 1/1</u>	<u>Plt. Ht. inches</u>	<u>T.W. (lbs/bu)</u>	<u>Protein %</u>	<u>4yr avg bu/ac</u>
Pryor	165	29	60	13.4	66
Neeley	165	33	60	13.7	64
Rocky	162	33	62	13.6	63
Tiber	165	35	61	14.4	60

Table 2. Quality characteristics of Pryor compared to check varieties from Montana State University Trials in 2002. (4 station years)

Variety	Wheat Protein (12% m.b.)	Wheat Ash %	Flour Yield, %	Flour Protein, % (14% m.b.)	Flour Ash, %	Mixograph				Test Bake				Wheat Protein - Flour Protein
						Type	Tolerance	Mixing Time, min	Water Absorption, %	Mixing Time, min	Water Absorption, %	Loaf Volume	Crumb Grain Score	
Neeley	14.5	1.7	62.7	12.2	0.40		58	5.3	60.3	9.5	70.7	1091	3.0	23
Tiber	15.1	1.6	64.4	12.6	0.33		5.0	3.3	61.7	7.4	71.4	1091	4.0	25
Rocky	14.4	1.6	62.7	12.2	0.36		6.5	6.4	59.6	10.2	71.2	1005	3.8	22
Pryor	14.1	1.5	64.5	11.9	0.39		4.0	3.5	59.6	5.4	69.4	1045	3.0	22

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT C
(Wheat)

OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (*Triticum* spp.)

NAME OF APPLICANT(S) WestBred, LLC	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or RD No., City, State, and Zip Code) 8111 Timberline Drive Bozeman, MT. 59718	PVPO NUMBER 2004 00 072
	VARIETY NAME Pryor
	TEMPORARY OR EXPERIMENTAL DESIGNATION BZ9W96-919

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g. or) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1=Common

2=Durum

3=Club

4=Other (SPECIFY): _____

2. VERNALIZATION:

1=Spring

2=Winter

3=Other (SPECIFY): _____

3. COLEOPTILE ANTHOCYANIN:

1=Absent

2=Present

4. JUVENILE PLANT GROWTH:

1=Prostrate

2=Semi-erect

3=Erect

5. PLANT COLOR (boot stage):

1 = Yellow-Green

2 = Green

3 = Blue-Green

6. FLAG LEAF (boot stage):

1 = Erect

2 = Recurved

1 = Not Twisted

2 = Twisted

7. EAR EMERGENCE:

Number of Days Earlier Than Norstar *

Number of Days Later Than Rocky *

8. ANther COLOR:

1 = Yellow

2 = Purple

9. PLANT HEIGHT (from soil to top of head, excluding awns):

cm Taller Than CDC Falcon CDC Falcon *cm Shorter Than Neeley *

* Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

10. STEM:

A. ANTHOCYANIN

1 = Absent

2 = Present

B. WAXY BLOOM

1 = Absent

2 = Present

C. HAIRINESS (last internode of rachis)

1 = Absent

2 = Present

D. INTERNODE (SPECIFY NUMBER)

1 = Hollow

2 = Semi-solid

3 = Solid

E. PEDUNCLE

1 = Absent

2 = Present

cm Length

11. HEAD (at Maturity):

A. DENSITY

1 = Lax

2 = Middense

3 = Dense

B. SHAPE

1 = Tapering

2 = Strap

3 = Clavate

4 = Other (SPECIFY):

C. CURVATURE

1 = Erect

2 = Inclined

3 = Recurved

D. AWNEDNESS

1 = Awnless

2 = Apically Awnletted

3 = Awnletted

4 = Awned

12. GLUMES (at Maturity):

A. COLOR

1 = White

2 = Tan

3 = Other (SPECIFY):

C. BEAK

1 = Obtuse

2 = Acute

3 = Acuminate

B. SHOULDER

1 = Wanting

2 = Oblique

3 = Rounded

4 = Square

5 = Elevated

6 = Apiculate

D. LENGTH

1 = Short

2 = Medium

(ca. 7mm)

(ca. 8mm)

3 = Long (ca. 9mm)

12. 'GLUMES (at Maturity) Continued:

2004 00 072

E. WIDTH

☐ 3 1 = Narrow (ca. 3mm) 2 = Medium (ca. 3.5mm)
3 = Wide (ca. 4mm)

13. SEED:

A. SHAPE

☐ 3 1 = Ovate 2 = Oval 3 = Elliptical

B. CHEEK

☐ 1 1 = Rounded 2 = Angular

E. Color

☐ 3 1 = White 2 = Amber 3 = Red
4 = OTHER (Specify)

F. TEXTURE

☐ 1 1 = Hard 2 = Soft

C. BRUSH

☐ 3 1 = Short 2 = Medium 3 = Long
☐ 1 1 = Not Collared 2 = Collared

D. CREASE

☐ 2 1 = Width 60% or less of Kernel
2 = Width 80% or less of Kernel
3 = Width Nearly as Wide as Kernel
☐ 2 1 = Depth 20% or less of Kernel
2 = Depth 35% or less of Kernel
3 = Depth 50% or less of Kernel

G. PHENOL REACTION (see instructions):

☐ 4 1 = Ivory 2 = Fawn
3 = Light Brown 4 = Dark Brown
5 = Black

14. DISEASE: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

☐ 0 Stem Rust (*Puccinia graminis* f. sp. *tritici*)

☐ 0 Leaf Rust (*Puccinia recondita* f. sp. *tritici*)

☐ 1 Stripe Rust (*Puccinia striiformis*)

☐ 0 Loose Smut (*Ustilago tritici*)

☐ 0 Tan Spot (*Pyrenophora tritici-repentis*)

☐ 0 Flag Smut (*Urocystis agropyri*)

☐ 0 Halo Spot (*Selenophoma donacis*)

☐ 0 Common Bunt (*Tilletia tritici* or *T. laevis*)

☐ 0 *Septoria nodorum* (Glume Blotch)

☐ 0 Dwarf Bunt (*Tilletia controversa*)

☐ 0 *Septoria avenae* (Speckled Leaf Disease)

☐ 0 Karnal Bunt (*Tilletia indica*)

☐ 0 *Septoria tritici* (Speckled Leaf Blotch)

☐ 0 Powdery Mildew (*Erysiphe graminis* f. sp. *tritici*)

☐ 0 Scab (*Fusarium* spp.)

☐ 0 "Snow Molds"

8

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

<input type="checkbox"/> 0 "Black Point" (Kernel Smudge)	<input type="checkbox"/> 0 Common Root Rot (<i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.)
<input type="checkbox"/> 0 Barley Yellow Dwarf Virus (BYDV)	<input type="checkbox"/> 0 Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>)
<input type="checkbox"/> 0 Soilborne Mosaic Virus (SBMV)	<input type="checkbox"/> 0 Black Chaff (<i>Xanthomonas campestris</i> pv. <i>translucens</i>)
<input type="checkbox"/> 0 Wheat Yellow (Spindle Streak) Mosaic Virus	<input type="checkbox"/> 0 Bacterial Leaf Blight (<i>Pseudomonas syringae</i> pv. <i>syringae</i>)
<input type="checkbox"/> 0 Wheat Streak Mosaic Virus (WSMV)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> Other (SPECIFY)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> Other (SPECIFY)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> Other (SPECIFY)	<input type="checkbox"/> Other (SPECIFY)

15. INSECT: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

<input type="checkbox"/> 0 Hessian Fly (<i>Mayetiola destructor</i>)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> 1 Stem Sawfly (<i>Cephus</i> spp.)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> 0 Cereal Leaf Beetle (<i>Oulema melanopa</i>)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> 1 Russian Aphid (<i>Diuraphis noxia</i>)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> 0 Greenbug (<i>Schizaphis graminum</i>)	<input type="checkbox"/> Other (SPECIFY)
<input type="checkbox"/> 0 Aphids	<input type="checkbox"/> Other (SPECIFY)

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) WestBred, LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BZ9W96-919	3. VARIETY NAME Pryor
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 8111 Timberline Drive Bozeman, MT. 59718	5. TELEPHONE (Include area code) (406) 587-1218	6. FAX (Include area code) (406) 586-8247
7. PVPO NUMBER 2004 00 072		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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